

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Jessie Frederick,	)	
	)	
Plaintiff,	)	C.A. No. 0:15-3399-HMH-PJG
	)	
vs.	)	<b>OPINION &amp; ORDER</b>
	)	
John Magill, Director, S.C.D.M.H.; Holly	)	
Scaturro, Director, S.V.P.T.P.; Kimberly	)	
Poholchuk, Program Coor., S.V.P.T.P.;	)	
Warden Stevenson, Warden, B.R.C.F., all	)	
in their individual and official capacities,	)	
	)	
Defendants.	)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.<sup>1</sup> Pursuant to a civil commitment, Jessie Frederick (“Frederick”) resides in the South Carolina Department of Mental Health’s Sexually Violent Predator Treatment Program (“SVPTP”). Proceeding pro se, Frederick alleges several 42 U.S.C. § 1983 claims against the Defendants.<sup>2</sup> In her Report and Recommendation, Magistrate

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<sup>1</sup> The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

<sup>2</sup> To the extent Frederick asserts additional constitutional claims in his amended complaint, the magistrate judge previously found that Frederick provided no allegations to support such claims. (Report & Recommendation 2 n.1, ECF No. 43.) Further, the court finds that Frederick has failed to assert any additional allegations in his objections that would support such claims.

Judge Gossett recommends granting the Defendants' motions for summary judgment. (Report & Recommendation 1, 6, ECF No. 43.)

Frederick filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Frederick's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate his claims. Despite reasserting his claims and providing additional factual background, Frederick's objections have failed to address or object to the specific grounds on which the magistrate judge based her recommendation. Accordingly, after review, the court finds that Frederick's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge Gossett's Report and Recommendation and incorporates it herein by reference.

It is therefore

**ORDERED** that the Defendants' motions for summary judgment, docket numbers 32 and 35, are granted.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
Senior United States District Judge

Greenville, South Carolina  
July 28, 2016

**NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.